

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARJORIE DONALDSON, PAULETTE PROVERBS, LATOYA LAWRENCE, NEEILUM MALKANI, and BANKIM BHARGAVA, on behalf of themselves and all others similarly situated,

X
Plaintiffs,
v.

BANK OF AMERICA CORP., and
BANK OF AMERICA, N.A.,

Defendants.

Civil Action No. 10 Cv. 3506 (SHS)

REVISED CASE MANAGEMENT PLAN
AND SCHEDULING ORDER

1. Class Discovery. All fact discovery related to class certification (apart from expert discovery as provided below) is to be completed by January 13, 2012. In view of the likelihood of considerable overlap between class discovery and merits discovery, it shall not be a basis for objecting to any discovery request that the information sought relates to merits issues, so long as such discovery request also relates to the requirements of Fed. R. Civ. P. 23.
2. Experts, if any, in support of class certification are to be designated by plaintiffs by January 13, 2012, and any reports furnished by February 13, 2012. Any experts by defendants in opposition to class certification shall be designated by February 13, 2012, and any reports furnished by March 13, 2012. Experts may be deposed, but such depositions must occur by March 27, 2012.
3. Motion for class certification is to be served and filed by May 14, 2012. Defendants' opposition papers are to be served by June 25, 2012. Plaintiffs' reply papers are to be served and filed by July 16, 2012.

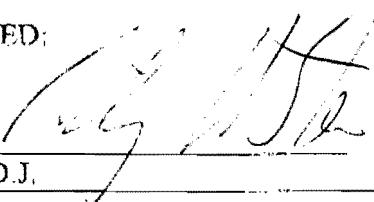
All motions and applications shall be governed by the Court's Individual Practices and the Local Rules of the United States District Court for the Southern District of New York.

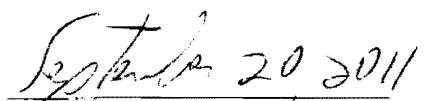
4. Merits Discovery. Merits discovery shall be held in abeyance pending the outcome of plaintiffs' class certification motion, at which time the parties shall submit a revised Case Management Plan.
5. Electronically Stored Information. The parties have agreed to work together to produce electronically stored information in appropriate usable formats.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 9/21/11

6. Pretrial Conference. The next pretrial conference will take place on December ¹⁵
2011 at 4:00 p.m.

SO ORDERED:


U.S.D.J.


Date